

HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JENIFER ESHOM,

Plaintiff,

V.

KING COUNTY, a Washington municipal corporation,

Defendant.

No. 2:23-cv-00028-JNW

SECOND STIPULATED MOTION
AND PROPOSED ORDER TO
CONTINUE CERTAIN CASE
DEADLINES

**NOTE ON MOTION CALENDAR:
FEBRUARY 7, 2025**

JOSEPH ESHOM,

Plaintiff,

V

KING COUNTY, a Washington municipal corporation.

Defendant.

No. 2:24-cv-00007-JNW

SECOND STIPULATED MOTION AND
PROPOSED ORDER TO CONTINUE
CERTAIN CASE DEADLINES 1

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1 Plaintiffs Jenifer and Joseph Eshom and Defendant King County jointly request that this
 2 Court vacate and continue certain case deadlines, including Joseph Eshom's trial date, thereby
 3 establishing the case schedule set forth in the table below.¹

| Event | Current Deadline | Requested Deadline |
|---|--------------------|--------------------|
| Joseph Eshom Jury Trial (8-10 days) | September 8, 2025 | April 4, 2026 |
| Jenifer Eshom Jury Trial (8-10 days) | November 3, 2025 | November 3, 2025 |
| Deadline for Filing Amended Pleadings | November 11, 2024 | November 11, 2024 |
| Disclosure of Non-Financial Expert Testimony | November 11, 2024 | November 11, 2024 |
| Disclosure of Non-Financial Rebuttal Expert Testimony | December 11, 2024 | December 11, 2024 |
| Disclosure of Financial Expert Testimony | December 9, 2024 | December 9, 2024 |
| Disclosure of Rebuttal Expert Financial Testimony | January 9, 2025 | January 9, 2025 |
| Filing of Discovery Motions | February 7, 2025 | April 2, 2025 |
| Discovery Complete | March 7, 2025 | May 2, 2025 |
| Filing of Dispositive Motions | April 7, 2025 | June 4, 2025 |
| Filing of Motions Challenging Expert Witnesses Under <i>Daubert</i> | April 7, 2025 | June 4, 2025 |
| Jenifer Eshom Settlement Conference | September 4, 2025 | September 4, 2025 |
| Jenifer Eshom Motions In Limine | September 24, 2025 | September 24, 2025 |
| Jenifer Eshom Deposition Designations Submitted to the Court | October 13, 2025 | October 13, 2025 |
| Jenifer Eshom Agreed Pretrial Order Submitted to the Court | October 13, 2025 | October 13, 2025 |
| Jenifer Eshom Trial Briefs, Proposed Voir Dire Questions, and Proposed Jury Instructions Submitted to the Court | October 20, 2025 | October 20, 2025 |

26
 27 ¹ The cumulative effect of these requested continuances is to provide the parties additional time for discovery in each
 of these partially consolidated cases, affirm the trial date and trial related deadlines assigned to the case by
 Jenifer Eshom, and continue the trial date and trial related deadlines assigned to the case by Joseph Eshom.

**SECOND STIPULATED MOTION AND
PROPOSED ORDER TO CONTINUE
CERTAIN CASE DEADLINES – 2**

| | | |
|---|----------------------|--------------------|
| 1 Jenifer Eshom 2 Pretrial Conference | 3 October 27, 2025 | 4 October 27, 2025 |
| 5 Joseph Eshom 6 Settlement Conference | 7 July 10, 2025 | 8 February 6, 2026 |
| 9 Joseph Eshom 10 Motions In Limine | 11 July 30, 2025 | 12 March 6, 2026 |
| 13 Joseph Eshom 14 Deposition Designations 15 Submitted to the Court | 16 August 18, 2025 | 17 March 13, 2026 |
| 18 Joseph Eshom 19 Agreed Pretrial Order 20 Submitted to the Court | 21 August 18, 2025 | 22 March 13, 2026 |
| 23 Joseph Eshom 24 Trial Briefs, Proposed 25 Voir Dire Questions, and 26 Proposed Jury Instructions 27 Submitted to the Court | 28 August 25, 2025 | 29 March 20, 2026 |
| 30 Joseph Eshom Pretrial 31 Conference | 32 September 1, 2025 | 33 March 27, 2026 |

12
13 Good cause supports this joint request because:

14 1. The parties have been and are working amongst themselves to resolve discovery
15 disputes concerning: (A) financial disclosures, (B) document collection, (C) complex e-discovery
16 issues, and (D) deposition scheduling.

17 2. After several discovery conferences, the parties reached discovery agreements they
18 believe will eliminate the need for motions or cross-motions to compel. The parties nevertheless
19 do not believe all document productions and depositions can reasonably be completed before the
20 current discovery cutoff of March 7, 2025.

21 3. Since the parties last appeared before this Court, those agreements have helped each
22 party move forward. Plaintiffs have recently begun addressing Defendant's concerns regarding the
23 adequacy of their efforts to search for, review, and produce documents and information, and
24 Defendant believes Plaintiffs' progress so far may prove promising. Defendant too has made
25 progress in its obligations to each Plaintiff. Specifically, Defendant resolved various complex
26 e-discovery issues, including issues concerning the decryption of its potentially responsive and
27

SECOND STIPULATED MOTION AND
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CERTAIN CASE DEADLINES – 3

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1 non-privileged data, and has produced its responsive and non-privileged records to Plaintiffs.²
 2 Defendant reports it is now substantially complete in its document production obligations to
 3 Plaintiffs.

4 4. Finally, both parties are using (and will continue to use) best efforts to agree upon
 5 a firm deposition schedule. And on this front, the parties also have made progress.

6 A. Plaintiffs recently identified twelve prospective deponents and, on
 7 January 31, 2024, noted twelve depositions to occur between February 11, 2025 and
 8 March 5, 2025. Due to competing deadlines and depositions in other matters, defense counsel are
 9 nevertheless unable to prepare for and defend twelve depositions in this case before March 5, 2025.
 10 Granting the requested continuance will allow Defendant to coordinate and confirm deposition
 11 availability of those who Plaintiffs would like to depose (to the extent Defendant employs those
 12 prospective deponents (and such objections are not otherwise objectionable)) in a fair and orderly
 13 manner without prejudice to any party.

14 B. Defendant has also noted the depositions of each Plaintiff, and Plaintiffs'
 15 expert. Defendant expects the deposition of Plaintiffs' expert may proceed as noticed on
 16 February 28, 2025. Defendant will strike its depositions of Plaintiffs and renote same after issues
 17 concerning Plaintiffs' document and text message productions are resolved.

18 5. Providing the parties their requested continuance will therefore conserve judicial
 19 resources as well as help facilitate just, speedy, and inexpensive determinations in this action.
 20 Fed. R. Civ. P. 1.

21 Stipulated to this 7th day of February 2025.

22 PACIFICA LAW GROUP LLP

23 LAW OFFICE OF BRIAN FAHLING

24 s/ Jessica A. Skelton

25 Zachary J. Pekelis, WSBA #44557
 Jessica A. Skelton, WSBA #36748
 Jacob A. Zuniga, WSBA #48458
 Attorneys for Defendant King County

26 s/ Brian Fahling

27 Brian Fahling, WSBA #18894
 Attorney for Plaintiffs

² Defendants' most recent document productions were disclosed on January 9, 2025, January 17, 2025, and January 24, 2025.

PROPOSED ORDER

The Court grants the parties' stipulated motion. The following deadlines are established:

| Event | Current Deadline | Requested Deadline |
|--|--------------------|-----------------------------------|
| Joseph Eshom Jury Trial (8-10 days) | September 8, 2025 | <u>April 6, 2026</u> ³ |
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³ The Court notes that the parties requested April 4, 2026—a Saturday—as Joseph Eshom's trial date. The Court sets the trial date for April 6, 2026—the following Monday.

| | | | |
|---|--|-------------------|------------------|
| 1 | Submitted to the Court | | |
| 2 | Jenifer Eshom Pretrial Conference | October 27, 2025 | October 27, 2025 |
| 3 | Joseph Eshom Settlement Conference | July 10, 2025 | February 6, 2026 |
| 4 | Joseph Eshom Motions In Limine | July 30, 2025 | March 6, 2026 |
| 5 | Joseph Eshom Deposition Designations Submitted to the Court | August 18, 2025 | March 13, 2026 |
| 6 | Joseph Eshom Agreed Pretrial Order Submitted to the Court | August 18, 2025 | March 13, 2026 |
| 7 | Joseph Eshom Trial Briefs, Proposed Voir Dire Questions, and Proposed Jury Instructions Submitted to the Court | August 25, 2025 | March 20, 2026 |
| 8 | Joseph Eshom Pretrial Conference | September 1, 2025 | March 27, 2026 |

13
14 *The Court adds that—absent extraordinary circumstances—this will be the last*
15 *continuance.*

16 Dated this 10th day of February 2025.

17
18 

19 Honorable Jamal N. Whitehead
20 United States District Court Judge

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27 SECOND STIPULATED MOTION AND
PROPOSED ORDER TO CONTINUE
CERTAIN CASE DEADLINES – 6

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